



U.S. Department of Justice

United States Attorney
District of New Jersey

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RECEIVED

January 14, 2010

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Honorable Joseph A. Greenaway, Jr.
United States Judge
Martin Luther King Jr. Federal Building and U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

Joseph A. Greenaway, Jr.
United States District Judge

Re: United States v. Walter Cedeno
Criminal No. 08-114 (JAG)

Dear Judge Greenaway:

On December 7, 2009, the Court entered an Order directing the government to respond to defendant's *pro se* "letter-motion" to withdraw his guilty plea and for assignment of new counsel, pursuant to Title 28, United States Code § 2255. It is my understanding the Court has requested a response to the motion on or before January 19, 2010.

Upon review of the defendant's motion, it appears it was originally filed with the Court on *December 1, 2008*, and was addressed by the Court immediately prior to defendant's sentencing hearing on December 4, 2008. At that time, the defendant withdrew his motion and elected to proceed with his sentencing. I have attached a copy of the "Minutes of Proceedings," dated December 4, 2008, for Your Honor's review.

In order to provide a factually and legally sufficient answer to the pending motion (if in fact it is still pending), I have requested expedited transcripts of the defendant's guilty plea and sentencing hearings. I have recently received the transcript of proceedings for the defendant's plea, and expect to receive the sentencing transcript on or before January 28, 2010.

Accordingly, I respectfully request a sixty (60) day continuance from January 19, 2010, to permit sufficient time to obtain and review all necessary documents, and to provide the Court an appropriate response.

Thank you for your courtesies.

Respectfully submitted,

PAUL J. FISHMAN
United States Attorney

By: Dennis C. Carletta
Assistant U.S. Attorney

SO ORDERED:

JOSEPH A. GREENAWAY, JR.
1-27-10

U.S.D.J.

cc: William Strazza, Esq.
Walter Cedeno, *Pro Se*
Enclosures